

## AMENDMENTS

### Amendments to the Claims:

Please cancel claims 1, 3-5, 7, 11-13, 15 and 17-43 without prejudice and amend the application as follows. This listing of claims will replace all prior versions and listings of claims in the application:

### Listing of Claims:

1. Canceled

2. (Currently Amended) A The promoter of the CD11d gene according to claim 1 comprising all or a functional portion of isolated or recombinant SEQ ID NO: 1, wherein the functional portion is selected from the group consisting of 225 to 1244 of SEQ ID NO: 1, and 998 to 1244 of SEQ ID NO: 1.

3-5. Canceled

6. (Currently Amended) A The promoter of the CD11d gene according to claim 5 comprising an isolated or recombinant double-stranded DNA molecule, wherein one of the strands of the DNA hybridizes to all or a functional portion of a sequence SEQ ID NO: 1, wherein the functional portion is selected from the group consisting of 225 to 1244 of SEQ ID NO: 1, and 998 to 1244 of SEQ ID NO: 1.

7. Canceled

8. (Currently Amended) A The cis-acting element according to claim 7, that influences the activity of a myeloid cell promoter comprising a functional portion of isolated or recombinant SEQ ID NO: 1, such that the element is sufficient to influence the activity of a myeloid cell specific promoter wherein the cis-acting element is the 225 to 1244 region of SEQ ID NO: 1.